

CAMPAIGN SPENDING COMMISSION

STATE OF HAWAII

In Re the Matter of)	CA 04-04
)	
JEFFREY Y.C. WONG and)	
NTW Associates, Inc.)	
)	
Respondents.)	
_____)	

CONCILIATION AGREEMENT

On or around December 2003, Robert Y. Watada, Executive Director for the Campaign Spending Commission ("Commission"), initiated an investigation of Respondent, Jeffrey Y.C. Wong, president of NTW Associates, Inc. (hereinafter, "Wong"). Business Registration Division records list NTW's purpose as providing consulting structural engineering services, whose business address is 1542 Young Street, Suite 300, Honolulu, Hawaii. The investigation was initiated pursuant to the express authority of section 11-193, Hawaii Revised Statutes ("HRS"), for a determination of whether the campaign spending law had been violated and a complaint would be submitted to the Commission.

NOW, THEREFORE, Wong and the Commission, having entered into conciliation and pursuant to section 11-216(g), HRS, do hereby agree as follows:

- I. That the Commission has jurisdiction over Respondent and the subject matter of this administrative action.
- II. That this Conciliation Agreement ("Agreement") and upon complete performance of the conditions stated herein has the effect of remedial or

corrective action taken by Respondent pursuant to section 11-216(g),
HRS.

- III. That Respondent had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- IV. That Respondent waives the right to be heard at a public hearing conducted under chapter 91, HRS, pursuant to section 11-228(b), HRS.
- V. That Respondent enters into this Agreement with the Commission on his own volition and with full knowledge and understanding.
- VI. That parties agree to the pertinent facts as follows:
 - 1. On or around December 2003, Robert Y. Watada, in his capacity as Executive Director of the Campaign Spending Commission, and upon information received through the disclosure statements of the Jeremy Harris 2000 campaign committee ("Harris") and the Kimo Apana campaign committee ("Apana"), initiated an investigation involving excess contributions in violation of campaign finance statutes.
 - 2. Section 11-204(a)(1)(C), HRS, reads in part as follows: No person, other than a candidate for the candidate's own campaign, or any other entity shall make contributions to:...A candidate seeking nomination or election to a four-year nonstatewide office or to the candidate's committee in an aggregate amount greater than \$4,000 during an election period.

3. Section 11-202, HRS reads in part as follows: No person shall make a contribution of the person's own money or property, or money or property of another person to any candidate, party, or committee in connection with a nomination for election, or election, in any name other than the true name of the person who owns the money or who supplies the money or property.
4. The Commission finds that contributions were made to candidates by Wong's family members, employees and friends.
5. On or about June 1999, Xiang Yee an employee made a contribution of \$500 to the Harris campaign committee.
6. The Commission finds that Wong requested and reimbursed Xiang Yee.
7. On or about June 2001, Chang Li made a contribution of \$500 to the Apana campaign committee.
8. On or about June 2001, Zhen Fan made a contribution of \$500 to the Apana campaign committee.
9. The Commission finds that Wong requested Xiang Yee to find a "friend" to make contributions to help the company.
10. The Commission finds that Xiang Yee reimbursed Chang Li and Zhen Fan the full amount of the contributions.
11. The Commission on September 11, 2003 approved a conciliation agreement with NTW Associates, Inc. and Jeffrey Wong with an administrative assessment of \$19,000.

VII. Settlement Terms

As final settlement of the matter and issues in Conciliation Agreement

#04-04, Wong understands and agrees to the following:

(A) Wong agrees to an assessment of **Two Thousand Dollars (\$2,000)** pursuant to section 11-228, HRS.

(1) For violation of section 11-202, HRS, making a false name contribution to the Harris campaign committee; and

(2) For violation of section 11-202, HRS, making a false name contribution to the Apana campaign committee.

(B) Wong agrees to comply with campaign finance statutes on contribution and expenditures to candidate committees.

(C) Terms of payment of the assessment shall be by Order of the Commission.

VIII. The Commission upon its own motion or a written request of anyone filing a complaint under section 11-216, HRS, may review compliance with the Agreement. If the Commission believes that the Agreement has been violated, it may institute administrative proceedings or a civil action in the Circuit Court of the First Circuit pursuant to section 11-228(c), HRS.

IX. This Agreement shall become effective as of the date that all parties have signed and the Commission has approved the entire Agreement.

- X. This Agreement constitutes the entire agreement between the Commission and Wong on the matters raised herein, and no other statement, promise, or agreement, either in writing or oral, not contained in this Agreement made by either party or by agents of either party shall be enforceable.
- XI. This Agreement, unless violated, shall be a complete bar to any further action by the Commission with respect to the violations at issue in this matter.

FOR THE COMMISSION:

Robert Y. Watada, Executive Director

By: _____

Date: _____

FOR THE RESPONDENT(S)

Jeffrey Y.C. Wong

By: _____

(Name)

(Title)

Date: _____